

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ORACLE USA, INC., a Colorado corporation;)	
ORACLE AMERICA, INC., a Delaware)	
corporation; and ORACLE)	2:10-CV-00106-LRH-PAL
INTERNATIONAL CORPORATION, a)	
California corporation,)	
)	<u>ORDER</u>
Plaintiffs,)	
)	
v.)	
)	
RIMINI STREET, INC., a Nevada)	
corporation; SETH RAVIN, an individual,)	
)	
Defendants.)	
)	

Before the court are plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation’s (collectively “Oracle”) motion to seal portions of its second motion for summary judgment (Doc. #423¹) and motion to seal portions of its reply brief (Doc. #459).

Also before the court is defendant Rimini Street, Inc.’s (“Rimini Street”) motion to seal portions of its response brief. Doc. #439.

As an initial matter, the court is acutely cognizant of the presumption in favor of public access to papers filed in the district court. *See Hagestad v. Tragesser*, 49 F.3d 1430, 1434 (9th Cir. 1995). Therefore, a party seeking to file materials under seal bears the burden of overcoming that presumption by showing that the materials are covered by an operative protective order and are

¹Refers to the court’s docket entry number.

1 also deserving of confidentiality. *See Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135
2 (9th Cir. 2005). Specifically, a party must “articulate compelling reasons supported by specific
3 factual findings that outweigh the general history of access and the public policies favoring
4 disclosure.” *Kamakana, City and County of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006)
5 (internal citations omitted).

6 Here, in this intellectual property action, the court has entered a protective order governing
7 documentation and testimony that is confidential to the parties’ internal research and development.
8 The court has reviewed the documents and pleadings on file in this matter and finds that the
9 documents at issue in the present motions contain information that is designated “Confidential”
10 and “Highly Confidential” under the protective order. Therefore, the court finds that the parties
11 have satisfied their burdens to show compelling reasons for filing the various pleadings under seal.
12 Accordingly, the court shall grant the parties’ motions.

13
14 IT IS THEREFORE ORDERED that plaintiffs’ motion to seal portions of its second motion
15 for summary judgment (Doc. #423) and motion to seal portions of its reply brief (Doc. #459) are
16 GRANTED.

17 IT IS FURTHER ORDERED that defendant’s motion to seal portions of its response brief
18 (Doc. #439) is GRANTED.

19 IT IS SO ORDERED.

20 DATED this 8th day of May, 2013.



21
22

LARRY R. HICKS
23 UNITED STATES DISTRICT JUDGE
24
25
26